



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,161	07/14/2003	Mary I. Grilliot	MOR3334P2010US	6769
128 7590 05/01/2009 HONEYWELL INTERNATIONAL INC. 101 COLUMBIA ROAD P O BOX 2245 MORRISTOWN, NJ 07962-2245				
EXAMINER				
LIPMAN, JACOB				
ART UNIT		PAPER NUMBER		
2434				
MAIL DATE		DELIVERY MODE		
05/01/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/619,161
Filing Date: July 14, 2003
Appellant(s): GRILLIOT ET AL.

Jeffery N. Fairchild
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 13 March 2009 appealing from the Office action mailed 30 June 2008.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

20040056089

Larson et al.

9-2002

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 4-6 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Larson et al., USPN 2004/0056089.

With regard to claims 1 and 5, Larson discloses a method for providing perimeter security so as to restrict entry to authorized persons (0019), wherein the method comprises steps of (a) issuing to each authorized person a token (0020) displaying or recording a unique set of electronically readable data identifying said authorized person (0030), who can present the token when seeking entry, (b) entering a photograph image of each authorized person into a database (0031), which is maintained in a portable computer (0027) having a display (0069), (c) reading the data displayed or recorded by each token presented by a person seeking entry, via an electronic reader (0070), and sending the read data to the computer (0071), (d) the portable or handheld computer (0072) comparing the sent data to the database (0071, 0075, 0076), and displaying the photographic image entered on the database of the person identified by the sent data, via the display (0071).

With regard to claims 2 and 6, Larson discloses that not all enrolled people will have access (0069).

With regard to claims 4 and 8, Larson discloses plural readers (0067, claim 5) which each maintain a replica of the database (0072, 0027).

(10) Response to Argument

With regard to applicant's argument that the card reader of Larson does not disclose maintaining vendor photographs, the examiner points to paragraph 71. In paragraph 71, Larson discloses that the card reader displays the vendor's photograph to check against the person presenting the card.

With regard to applicant's argument that the handheld reader of Larson does not compare data from the card to the database, the examiner points again to paragraph 71, where Larson disclose, "for cards that are read, determining whether there is a corresponding user or employee within the system database". This step is comparing the card data to the database.

With regard to applicant's argument that the handheld card readers in Larson do not maintain the database, the examiner points to paragraph 75. In paragraph 75, Larson discloses that in addition to a central database, the distributed systems also can include databases. In paragraph 76 Larson discloses periodically synchronizing the databases to keep the central database current. The distributed system of Larson reads on a portable or handheld computer. Even if the language of the claim were seen as limiting enough to only read on the portable card readers of Larson, the card readers

maintain the database in that the database is modified based on activity data that they transmit. This keeps the database current and maintains it.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Jacob Lipman/

Examiner, Art Unit 2434

Conferees:

/Andrew L Nalven/

Primary Examiner, Art Unit 2434

/Kambiz Zand/

Supervisory Patent Examiner, Art Unit 2434